

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK C. ROKITA, JR.,

Petitioner,

v.

BARRY SMITH, et al.,

Respondents.

CIVIL ACTION

FILED

NO. 18-5183

FEB 14 2019

KATE BARKMAN, Clerk
By _____ Dep. Clerk

C. DARNELL JONES, II, J.

ORDER

AND NOW, this 14th day of February, 2019, upon careful and independent consideration of the Petition for a Writ of Habeas Corpus (Doc. No. 1), Petitioner's Memorandum (Doc. No. 6), Respondents' Response (Doc. No. 5), the available state court records, and the Report and Recommendation of United States Magistrate Judge Marilyn Heffley (Doc. No. 7), it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Petition for a Writ of Habeas Corpus is DENIED with prejudice;
3. There is no probable cause to issue a Certificate of Appealability; and
4. The Clerk of Court shall mark this matter CLOSED.

BY THE COURT:


C. DARNELL JONES, II, J.